

Notice of Allowability	Application No.	Applicant(s)	
	09/872,680	CASE ET AL.	
	Examiner	Art Unit	
	Huyen X. Vo	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/4/2005.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☒ The drawings filed on 01 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Jeremy Curcuri on 7/25/2005. The application has been amended as follows:

Claims 1 and 10 have been amended as follows:

1. A method of making a digital voice library utilized for converting text to concatenated voice in accordance with a set of playback rules, the digital voice library including a plurality of speech items and a corresponding plurality of voice recordings wherein each speech item corresponds to at least one available voice recording, wherein multiple voice recordings that correspond to a single speech item represent various inflections of that single speech item, the method comprising:

- establishing a vocal sequence;
- recording a voice talent uttering the vocal sequence;
- generating a complex tone that reflects a particular inflection required for a particular voice recording of a particular speech item, the complex tone being composed of portions of the recording of the voice talent uttering the vocal sequence; and

recording the voice talent reciting the particular speech item to make the particular voice recording, the voice talent using the complex tone as a guide to allow the voice talent to recite the particular speech item in accordance with the particular inflection, the particular voice recording being utilized in the digital voice library for converting text to concatenated voice in accordance with the set of playback rules.

10. A digital voice library utilized for converting text to concatenated voice in accordance with a set of playback rules, the digital voice library including a plurality of speech items and a corresponding plurality of voice recordings wherein each speech item corresponds to at least one available voice recording, wherein multiple voice recordings that correspond to a single speech item represent various inflections of that single speech item, the digital voice library further comprising a particular voice recording of a particular speech item, the particular voice recording requiring a particular inflection and being made by:

establishing a vocal sequence;

recording a voice talent uttering the vocal sequence;

generating a complex tone that reflects the particular inflection required for the particular voice recording of the particular speech item, the complex tone being composed of portions of the recording of the voice talent uttering the vocal sequence; and

recording the voice talent reciting the particular speech item to make the particular voice recording, the voice talent using the complex tone as a guide to allow

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the voice talent to recite the particular speech item in accordance with the particular inflection, the particular voice recording being utilized in the digital voice library for converting text to concatenated voice in accordance with the set of playback rules.

Allowable Subject Matter

2. Claims 1-18 are allowed over prior art of record. The following is an examiner's statement of reasons for allowance: Gasper et al. (US 5278943) disclose a voice animation system that decomposes pre-recorded samples of actual speech into basic segments to derive speech patterns of a particular speaker to provide parameters and coefficients for use in a text-to-speech synthesizer to artificially synthesize human quality speech with unlimited vocabulary in the voice of the person who provided the pre-recorded samples. The pre-recorded speech samples are further processed to add desired inflection and other auditory effects to create high-quality animated or artificial voices (*see reference*). Tubman et al. (US 5820384) teach a recording method and system that provides optional and controllable song lyric acoustical promptings and music for Karaoke participants. The acoustical prompts are in the form of short-spoken phrases, acoustically provided just prior to the time at which the actual vocal should be sung. The method of acoustical prompting employs a listen-sing-along procedure effected via the interaction of the spoken instructor-promptings and the Karaoke participant. The acoustical system includes preparing a multi-track recording in proper time sequence to provide a precedent acoustical prompt. For example, the recording could have stereo music on two tracks, an original vocal on a third track in synchronism

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with the music, and on a fourth track rapidly spoken prompt messages preceding respective portions (vocal lines) of the original vocal. The recording may be played back in a predetermined sequence into an electronic mixer for controlling the sound level of each track, communicating the rapidly spoken prompt messages by acoustical means directly to a Karaoke participant for the purpose of enabling the participant to sing a rendition associated with the said audio vocal prompt by repeating and singing the prompt message accordingly with the melody of the original vocal line, feeding the participant's rendition into the mixer for producing the participant's rendition of the vocal in accompanying relationship with the music and/or the original vocal, and controlling the volume level of the original vocal relative to the volume level of the participant's rendition. This acoustical method and system of song lyric and language prompting significantly facilitates both the amateur and/or professional user with a simple to use, listen and sing-along, interactive procedure. Both prior art references fail to specifically disclose the step of generating a complex tone that reflects a particular inflection required for a particular voice recording of a particular speech item, the complex tone being composed of portions of the recording of the voice talent uttering the vocal sequence; and recording the voice talent reciting the particular speech item to make the particular voice recording, the voice talent using the complex tone as a guide to allow the voice talent to recite the particular speech item in accordance with the particular inflection; wherein the voice talent used in generating a complex tone and the voice talent reciting the particular speech item using said complex tone as a guide are of the

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same user (according the applicant's representative in an interview on 7/24/2005).

Therefore, claims 1-18 are allowed over prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen X. Vo whose telephone number is 571-272-7631. The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HXV

8/1/2005


SUSAN MCFADDEN
PRIMARY EXAMINER